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March 14, 2019

Hon. George B. Daniels
U.S. District Court
Southern District of New York
500 Pearl Street, Room 1310
New York, NY 10007

Re: *Request for Adjournment - Estate of Meimaris, et al. v. Royce, et al., 18-cv-4363*

Dear Judge Daniels:

This office represents Defendants Joseph E. Royce and Lawrence A. Blatte in this matter. I write further to the voice mail message we received from Your chambers, and with the consent of co-Defendants Tulio Prieto, TBS Shipping Services Inc., and Guardian Navigation Services Inc. to respectfully request that the Initial Pre-Trial Conference, which is currently scheduled for March 20, 2019, be adjourned. The Initial Pre-Trial Conference in this matter was originally scheduled for August 1, 2018, but was adjourned three times: first to October 2, 2018, then to January 9, 2019, and then to March 20, 2019.

This matter has been referred to Magistrate Judge Moses for “general pre-trial management, including dispositive motions.” (ECF No. 46.) Since the referral, all of the Defendants who have appeared in this matter have filed motions to dismiss the Third Amended Complaint. These motions are currently *sub judice* before Judge Moses. As is clearly set forth in those submissions (ECF Nos. 71, 73, 76, 95-97), there are significant, substantive deficiencies with the Third Amended Complaint that cannot be cured by amendment. These deficiencies include, but are not limited to, the statute of limitations. Thus, the expense and burden of engaging in discovery may never be necessary if the motions are decided in Defendants’ favor, and, with that in mind, the parties in their motions to dismiss also moved for a stay of discovery pending resolution of the motions. Moreover, at least three defendants (Jaime Leroux, Gruposedai and Technisea) have not yet been served with process. (ECF No. 61.) Under such circumstances, discovery could prove to be inefficient and redundant.

Plaintiffs do not consent to this application.

In view of the foregoing, the Defendants respectfully request that the scheduled March 20, 2019 Initial Pre-trial Conference be adjourned *sine die*. Thank you for your time and attention to this matter.

Respectfully,

BLEAKLEY PLATT & SCHMIDT, LLP

/s/ Adam Rodriguez
Adam Rodriguez

Cc: Counsel of record via ECF